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7 THOMAS H. SPITTERS,
8 Plaintiff,
9 v.
10 UNKNOWN,
11 Defendant.

Case No. 15-cv-04902-PJH

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**ORDER DENYING REQUEST FOR
CONTINUANCE AND DISMISSING
COMPLAINT**

18 Re: Dkt. No. 37

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23 The court has received a letter from plaintiff Thomas H. Spitters ("plaintiff") dated
June 5, 2016. Dkt. 37. In the letter, the plaintiff again asks the court to continue the case
and re-consider the June 16 deadline for service of the complaint on defendants. The
court DENIES plaintiff's request for a further continuance.

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25 Under Federal Rule of Civil Procedure 4(m), the plaintiff was required to serve the
complaint upon defendants by February 23, 2016. The court granted a significant
extension of that deadline, and has repeatedly made the plaintiff aware of this deadline.
See Dkt. 31, 34, 36. Plaintiff has not complied, and his letter to the court indicates that
he is unable to do so. Accordingly, the complaint is DISMISSED, without prejudice, for
failure to effectuate service. See Fed. R. Civ. Pro. 4(m).

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IT IS SO ORDERED.

28 Dated: June 20, 2016


PHYLLIS J. HAMILTON
United States District Judge